

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

 INTELLECTUAL PROPERTY LAW  
 3200 PARK CENTER DRIVE, SUITE 750  
 COSTA MESA, CA 92626

FACSIMILE: (714) 557-3347

# OFFICIAL

## FACSIMILE COVER SHEET

Deliver to: Frank Duong, USPTO Art Group: 2664  
 Facsimile No.: 703-872-9314 Date: October 22, 2003  
 From: Thinh V. Nguyen, Reg. No. 42,034  
 Our Docket No.: 82771P270 Number of pages 12 including this sheet.  
 Application No.: 09/131,141 Filing Date: 8/7/1998  
 Docket Due Date(s): 10/31/2003

 RECEIVED  
 CENTRAL FAX CENTER  
 OCT 22 2003

Enclosed are the following documents:

- |                                                                                     |                                                                                   |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Amendment: <u>After Final</u>                   | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief (in triplicate) ( <u>    </u> pgs)            | <input type="checkbox"/> Notice of Appeal                                         |
| <input type="checkbox"/> Application: <u>                                </u>       | <input type="checkbox"/> Petition for: <u>                                </u>    |
| ( <u>    </u> pgs) w/cover & abstract)                                              | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)                | <input type="checkbox"/> Reply Brief ( <u>    </u> pgs)                           |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>                 | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)                    | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)                       | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures          | <input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)           |
| <input type="checkbox"/> Extension of Time: <u>                                </u> | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)                  | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)                         | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <input type="checkbox"/> Other <u>                                </u>              |                                                                                   |

### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Pat Sullivan  
 Pat Sullivan

10/22/2003

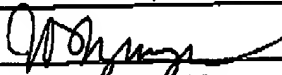
Date


**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Pat Sullivan.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/131,141
		Filing Date	August 7, 1998
		First Named Inventor	Mohan V. Kalkunte
		Art Unit	2664
		Examiner Name	Frank Duong
Total Number of Pages in This Submission	12	Attorney Docket Number	82771P270

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)  <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div>Facsimile Transmittal Sheet</div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thinh V. Nguyen, Reg. No. 42,034 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 22, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Pat Sullivan	Date	October 22, 2003
Signature			

Based on PTO/SB/21 (08-09) as modified by Blakely, Sokoloff, Taylor & Zafman (Wt) 09/11/2003.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$) 0.00

## Complete if Known

Application Number	09/131,141
Filing Date	August 7, 1998
First Named Inventor	Mohan V. Kalkunte
Examiner Name	Frank Duong
Group/Art Unit	2664
Attorney Docket No.	82771P270

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1)				(0)	

## 2. EXTRA CLAIM FEES

Total Claims	22	22*	=	0	x	18.00	=	\$0.00
Independent Claims	4	4*	=	0	x	88.00	=	\$0.00
Multiple Dependent								

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claims, if not paid	
1204	88	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(0)	0.00

\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	80	2052	26	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	56	Extension for reply within first month	
1253	420	2252	210	Extension for reply within second month	
1253	960	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	185	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	65	Petition to revive - unavoidable	
1453	1,330	2453	685	Petition to revive - unintentional	
1501	1,380	2501	685	Utility issue fee (or reissue)	
1602	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1480	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Name (Print/Type) **Thinh V. Nguyen**

Registration No. (Attorney/Agent)

42,034

Telephone

(714) 557-3800

Signature

Date

10/22/03

Based on PTO/SB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (M) 08/11/2003.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

OCT. 22. 2003 2:58PM

BST&Z - CM

NO. 9321

AMDT D #25  
10/27/03  
Witcher (N.E.)

Appl. No. 09/131,141  
Amdt. Dated October 22, 2003  
Reply to Office Action of July 31, 2003

RESPONSE UNDER 37 CFR § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2666

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 09/131,141  
Applicant : Mohan V. Kalkunte et al.  
Filed : August 7, 1998  
TC/A.U. : 2666  
Examiner : Frank Duong

Confirmation No. 7385

Docket No. : 82771P270  
Customer No. : 8791

RECEIVED  
CENTRAL FAX CENTER  
OCT 22 2003

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

OFFICIAL

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office action of July 31, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

82771P270  
Application No. 09/131,141

Page 1 of 8

WWS/NDN/phs

Please  
bindly  
do not  
enter  
Thanks, Mark  
10/29/03